



# Oregon

Kate Brown, Governor

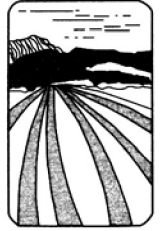
Department of Agriculture

635 Capitol Street NE  
Salem, OR 97301-2532

Case Number: 210263

Case Name: Southern Ag Kelp Green

Case Closed ☐



## Overview

Investigator

Michael Odenthal

Case Reviewer

Michael Babbitt

Date Started 01/11/2021

Date Completed 01/28/2021

ROL Provided? ☐ Yes ☒ No

List Test(s) Requested

Number of Samples Taken

Number of Samples Analyzed

Number of Applicators 0

Complaint? ☐ Yes ☒ No

Sample Type ☐ Air ☐ Veg  
☐ Animal ☐ Other  
☐ Soil  
☐ Swab  
☐ Water

Complaint Form Provided? ☐ Yes ☒ No

PARC ☐ Yes ☒ No

Cease & Desist ☐ Yes ☒ No

Type of Investigation PLR

Verified Compliance? ☐ Yes ☐ No

Date Reviewed 01/29/2021

Related Cases

Date Case Completed 02/12/2021

Sixty Days 03/12/2021

One Hundred Twenty Days 05/11/2021

Tracking Devices	E-commerce

Nature	

## Parties Involved

<u>Parties Involved</u>	<u>Last / Business Name</u> <u>Address</u> <u>City</u> <u>Email</u>	<u>First</u>  <u>State</u>	<u>Zip</u>	<u>License #</u> <u>Phone</u> <u>Phone 2</u>	<u>License Type</u> <u>Expiration Date</u> <u>County</u>	<u>Category</u>
<b>Manufacturer</b>	SOUTHERN PO BOX 218 PALMETTO	FL	34220	AG-R1010145PPR 941-722-3285	PPR 12/31/2021 Manatee	

## Marketplace Inspection

<b><u>Product Name</u></b>	<b><u>EPA Reg. No.</u></b>	<b><u>Quantity</u></b>	<b><u>Container Size</u></b>	<b><u>Issue</u></b>	<b><u>Status</u></b>
Southern Ag Kelp Green All Natural Organic Fertilizer	none				

## Narrative

**January 11, 2021:** Matt Haynes, Fertilizer Specialist Oregon Department of Agriculture (ODA) Fertilizer Program, sent me, Michael Odenthal, Lead Investigator ODA Pesticides Program, an e-mail message referring a product that was being advertised as a pesticide. The product was Southern Ag Kelp Green fertilizer.

The complaint read:

\*\*\*\*\*

**Subject: Anonymous Complaint**

**Date:** January 8, 2021 at 17:08:31 PST

**To:** "'info@oda.state.or.us'" <info@oda.state.or.us>

**Cc:** 'Matt Haynes' <mhaynes@oda.state.or.us>

SOUTHERN AGRICULTURAL INSECTICIDES INC - PALMETTO, FL (941) 722-3285 ODA Registered (Pending Renewal) Fertilizer Southern Ag 1.27-0.25-0.32 Kelp Green is being marketed by a distributors, including "Home Despot", with a label provided by the manufacturer, which makes a PGR/Pesticide claim: "Plant Hormones":

<https://www.homedepot.com/p/Southern-Ag-32-oz-Kelp-Green-Organic-Liquid-Fertilizer-100509323/203070327>

and

<https://www.amazon.com/Southern-Kelp-Green-Organic-Fertilizer/dp/B00A52OS4M> - marketing claim make: "Plant Hormones".

And

<https://www.domyown.com/southern-ag-kelp-green-p-17425.html>

and

[https://www.youtube.com/watch/eSZi\\_wRrFEA](https://www.youtube.com/watch/eSZi_wRrFEA) - at about 31 seconds in, the marketing video mentions that their product contains hormones, auxin gibberellin, cytokinin, etc., and that it also states that their product is a plant 'defense system stimulant'.

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I reviewed the web links provided by Haynes' complainant and found the only link that did not make mention of plant hormones was the link to Home Depot's site.

**Investigator Recommendation:** I have reviewed the advertisements included in the referral and it appears all but one make pesticidal claims of plant growth regulation through hormones. Recommend this case be referred to US EPA Region 10 for review and possible action.

## **Conclusion**

This matter is being referred to EPA Region 10 for FIFRA compliance review.

## Attachments

### **Attachment Name**

### **Type**

210263 Anonymous Complaint Southern Ag

Correspondence

210263 Southern AG offerings

Misc.

## Enforcement Summary

<u>Name</u>	<u>License Type</u>	<u>Prohibition Violated</u>	<u>Number of Actions</u>	<u>Action</u>	<u>CP Paid?</u>	<u>Notice Issued</u>	<u>Notice Served</u>	<u>Orig CP Amount \$</u>	<u>Hearing Regsted</u>	<u>Informal Held</u>	<u>Final Order Date</u>	<u>Actual CP Amount \$</u>
Southern Agricultural Insecticides, Inc.	PPR			REF-EPA								

TOTAL Orig CP Amount \$

TOTAL Actual CP Amount \$

## Notes

### When Sent

1/27/2021 4:37 PM

Hi Mike. Methinks there is an accidental investigation completion date on the front page.

### From

Michael Babbitt

### To

Michael Odenthal